

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 3RD APRIL, 2007 / 13TH CHAITHRA, 1930

WP(C).No. 11665 of 2007(L)

PETITIONER:

JINU, S/O.K.D.THOMAS, AGED 28 YEARS,  
RESIDING AT KUTTIVELIL HOUSE, KUNCHITHANNY,  
POTTANKADU P.O., UDUMBANCHOLLA TALUK,  
IDUKKI DISTRICT.

BY ADV. SRI.FRANCIS J.ATTAKUZH

RESPONDENTS:

1. PRINCIPAL, MAR BASOLIOUS COLLEGE,  
MANNAMKALA, ADIMALI, DEVIKULAM TALUK.
2. VICE CHANCELLOR, M.G.UNIVERSITY,  
PRIYADARSINI HILL, ATHIRAMPUZHA, KOTTAYAM.

BY STANDING COUNSEL SRI.V.A.MUHAMMED.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 03/04/2007, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**S. SIRI JAGAN, J.**

-----  
**WP(C) NO. 11665 OF 2007 – L**  
-----

**Dated this the 3<sup>rd</sup> day of April, 2007**

**J U D G M E N T**

The petitioner is a student of the first respondent-College. He has approached this Court challenging Ext.P7 suspension order suspending him from the college. The relevant part in Ext.P7 reads thus:-

"1. On 13.2.2007 in the evening while Miss.Bincy Mary Cherian, Lecturer was proceeding to her Hostel from the College, you accosted her and threatened her that because you were awarded low marks you would see that she would not be able to proceed beyond the Neriya Mangalam Bridge to her House. Your said act of threatening a lady teacher and causing mental agony to her was a serious act of misconduct.

2. On 14.2.2007 you committed a similar serious Act by causing disruption in the class room creating unruly scenes concerning awarding of marks for internal assessment and field work. When the HOD Sri.V.S.Kochukrishna Kurup proceeded to the staff room, you followed him and threatened him with dire consequences allegedly for awarding low marks in the internal assessment. The HOD felt quite humiliated and complained to the undersigned with a feeling of insecurity.

In my notice to you, I had demanded explanations from you on

: -2- :

these and your several other misconducts on your part the above instances were also mentioned for explanation.

I received your explanation dated 15.3.07 and while I was considering what steps should be taken in the amtter, I received a fresh report from Sri.Jobi Manuvel, a teacher in the department of Social Work, that on 19.3.07 at about 2.35 PM when he came out of the class room, you followed him, accosted him and threatened him that

The aforesaid threats hurled against a teacher of the college despite having been cautioned on account of 2 similar earlier incidents is a quite grave and serious matter. Teachers in the college are now having a sense of insecurity and are unable to impart classes to students effectively."

These are very serious allegations which certainly warrant a suspension pending enquiry. Therefore, I am not inclined to interfere with Ext.P7 order of suspension at this stage.

Accordingly, the writ petition is dismissed.

Mbs/

**-True Copy-**

**Sd/-  
S. SIRI JAGAN,  
Judge**

P.A.to Judge.

**WP(C) NO. 11665 of 2007**

**:-3:-**

**S.SIRI JAGAN, J**

---

**W.P.(C) NO. OF 2001**

---

**J U D G M E N T**

**WP(C) NO. 11665 of 2007**

**:-4:-**

**DATED:13-02-2007**

**WP(C) NO. 11665 of 2007**

**:-5:-**